

**COMMISSIONERS OF SUDLERSVILLE
MONTHLY MEETING MINUTES
March 7, 2007**

The Commissioners of Sudlersville held their Monthly Meeting on Wednesday, March 7, 2007, at 6:30 p.m. This is the first meeting under their new schedule of the first Wednesday of each month at 6:30 p.m. instead of the first Tuesday of each month at 7:00 p.m. Their workshops will continue to be held on the third Wednesday of each month, but will now begin at 6:30 p.m. instead of 7:00 p.m. All 5 Commissioners were present: Ms. Constance Engrem, Mr. William H. Faust, III, Mr. Ronald Ford, Mr. E. T. Kimble and Mr. Lawrence T. Price.

The Pledge of Allegiance was made.

Commissioner Kimble was the only person to request edits to the February 21, 2007, workshop minutes. These were made before this meeting. Commissioner Kimble made a motion to approve the February 21, 2007, workshop minutes with the requested edits. Commissioner Engrem seconded the motion. The minutes were unanimously approved.

Mr. Frances Kinnamon appeared on behalf of the Sudlersville Volunteer Fire Company (SVFC). He said he wanted to introduce himself and inform the Commissioners that he would attempt to make the Commissioners' monthly meetings. The first Tuesday of each month is the night the SVFC holds their meetings, so the change to the Commissioners' meeting night enables someone, other than Commissioner Faust, to appear on behalf of the SVFC at the Commissioners' meetings on the first Wednesday night of each month. Commissioner Faust said the SVFC will be holding a Texas Hold'em Tournament on Sunday, March 25, 2007 at 2:00 p.m.

Mr. David Teel, Circuit Rider/Town Manager, informed the Commissioners that he provided them with his monthly written report. He informed them that Mr. Charles MacLeod, the town's attorney, provided him with documents during this day. One of those documents was the draft agreement for the developers to provide advanced funding. Another was the final version of the Foxxtown project to permit us to run the water services here. He informed the Commissioners that he is partly through preparing the grant application for the sidewalk retrofit program. Mr. Teel said that the original paperwork said the applications were due by the end of May, but while speaking with Mr. Schulgin, his contact at the state office, these applications are now due by March 20, 2007. Mr. Teel informed the Commissioners that a meeting was scheduled for March 8, 2007, at 10:00 a.m. with Maryland Environmental Service (MES) to acquaint them with what the town was doing and provide them with prints of what the town has so far. He said this was not a decision-making meeting, simply an orientation and all the Commissioners were welcome to attend.

Commissioner Faust, referring to Mr. Teel's monthly report, asked if Mr. MacLeod had completed anything with regard to the acquisition of the Merrick property. Mr. Teel said he had not.

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No-one from the Sheriff's office was present. Ms. Laura Stahl, Clerk/Treasurer, informed the Commissioners' that she had e-mailed Sheriff Gery Hoffmann the day after the last meeting to inform him of the change to the monthly meeting schedule.

Ms. Dianne Faust provided a written report to the Commissioners for the Neighborhood Watch. She was unable to attend this evening's meeting.

Commissioner Ford informed the Commissioners' that the Planning Commission (PC) had approved the tentative sketch plan presented by BDC for development of the 7-acres the own within the town's limits. Commissioner Ford said the PC had also made good progress on the official town map.

Mr. Cary Malkus, Code and Zoning Enforcement Officer for the town, appeared before the Commissioners. Commissioner Faust informed Mr. Malkus that the Commissioners wished him to appear before them to discuss two matters. One was his performing an inspection before the scheduled time; the other was to ask him why the town should continue to require proof of lead-paint inspections. Mr. Malkus began by asking Ms. Stahl if Ms. Darla Gessford had complained to any of the Commissioners about his performing the inspection of her rental unit without her presence and before their scheduled time. Ms. Stahl answered that she had complained to Ms. Stahl and asked Ms. Stahl to let the Commissioners know, but that Ms. Gessford said she did not want to file a formal complaint. Mr. Malkus told the Commissioners that he had spoken with her at length and she proffered no complaint to him. Mr. Malkus said that one of Ms. Gessford's tenants asked him to see about moving a sign. Mr. Malkus said he went to look at the sign with the thought that he could help the gentleman with the Commissioners to see about moving it. After that, the gentleman, Mr. Malkus said, asked him if he would be performing the rental unit inspections. Mr. Malkus said he would be and asked him if he had keys to the units. The gentleman said he had keys to both apartments. So, Mr. Malkus said, he had no reason to think that he was not the person that was designated by the owners with whom to perform the inspections. He said Ms. Gessford, when they spoke later, said she understood; she did not seem to have any problem with his conducting the inspection when he did.

In regard to the lead paint certifications, Mr. Malkus said there is a state law requirement: Chapter 540, 2004 House Bill 1245. He said he believes Mr. Teel is familiar with that law. Mr. Teel said our ordinance also covers lead paint inspections, requiring a copy of the owner's registration or a signed certificate. Mr. Teel said Mr. Malkus has good information that when the town is performing these inspections and does not follow-up on the lead paint issue, the town assumes some liability for that. Commissioner Ford asked if these owners were required to take paint samples to a lab for analyzing. Mr. Malkus said they did not. He said they could call any one of the Maryland Department of the Environment (MDE) certified persons to have an inspection done at the rental unit; that he could refer them to some of these persons. Mr. Malkus said once that certification is acquired by the town, no further action is necessary. There is no obligation on the part of the town to send that information on to the state. Commissioner Ford asked if the paint has to be completely removed if lead paint is

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found in the rental unit. Mr. Malkus said they will need to get someone in to do that; a certified contractor for just that purpose. He said it can get expensive to rectify; but, it can be more expensive if somebody gets lead poisoning.

Mr. Malkus said that this rental program is very successful in six other towns in the surrounding area. He said the success is related to those towns' involvement. The towns are involved in contacting the people, receiving the fees, and answering questions. When the questions get too technical, the persons are referred to Mr. Teel or Mr. Malkus. It is very difficult for the towns to send out a letter and provide a foreign number, in Mr. Malkus' case a mobile number, for the people to call. Mr. Malkus said it was difficult for him to do all that needs to be done while having to schedule appointments on his cell phone also. Mr. Malkus said where it works is because there is good town cooperation; it is a town ordinance. Commissioner Faust pointed out that Ms. Stahl is the only one in the office every day. Mr. Malkus said that is the case in a lot of towns and that it is done every other year. Mr. Malkus said that the town gets to know the people involved and the town can then learn which ones are being honest about whether or not they are landlords; whether they registered or not.

Commissioner Faust asked Mr. Malkus if he had requested one owner install ground fault interrupt (GFI) outlets by their sink; but the home was exempt from the GFI requirement. Commissioner Kimble said that if the house was built before the law regarding GFIs existed, and no changes were made to the house, GFIs would not be required. Commissioner said most of that is wiring with no grounds, and GFIs are useless without a ground. Commissioner Faust asked Mr. Malkus why he was writing up owners for not having GFIs when they did not have to. Mr. Malkus responded that in most cases, with older houses, assuming there is a ground, Mr. Malkus is going to recommend that, where there is an arm's length between the receptacle and the water supply, a GFI be installed. Mr. Malkus said that is not an economic hardship for the owner; GFIs are about \$17.99 at Home Depot. The purpose is, Mr. Malkus said, to try to make small improvements each time the houses are inspected; these improvements do not put financial hardship on the owner, but are safety factors. Mr. Malkus said in other towns he has seen situations where there is no GFI and there could have been, and there is a lawsuit with the tenant suing the landlord. Mr. Malkus said he just wanted to ensure the landlords know what to look for. He said the tenants are putting up with unsafe stairs, stairways with no banisters; and they need to be looked at also. Mr. Malkus said he was trying to get a fair balance while getting a slight upgrade that is not a financial hardship on the owner. Commissioner Price said that while the outlet may be \$18, but the owner may have to pay for a professional \$65 to install the outlet. That may not be a hardship to you or anyone else in this room, but for someone on a fixed income who cannot install it, those costs are a hardship. Commissioner Price continued that if the house does not have the ground, then the GFI serves no purpose. Mr. Malkus said he understands that without a ground, the GFI is useless. Commissioner Price said Mr. Malkus just said that he does not know if the house has a ground or not; that Mr. Malkus assumes that it does. Commissioner Price said his house was built in 1907 and does not have a ground wire in it; it has not been rewired. Commissioner Price said that before Mr. Malkus requires a GFI be installed, he needs to find out if the

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house has a ground wire in it. Mr. Malkus said the only way for him to do that is to check with a qualified electrician. He said that normally, when there are breakers, it is reasonably safe to assume the house has a grounded system. Commissioner Faust said that assumption causes problems. Mr. Teel said that if there are breakers, the system is grounded. Commissioners Faust and Price said that is not correct. Both said they have breakers in their homes, but no grounded system. Commissioner Kimble said the service can be changed without rewiring the house; that insurance companies will make owners take the fuse systems out and replace them with breakers. More discussion on this occurred. Commissioner Faust said he thought the town should purchase a 3-way plug for Mr. Malkus to use to determine if there is a ground. Mr. Malkus said he uses one; when it does not light up, he then knows there is no ground and he will not require a GFI be installed.

Commissioner Price returned to the complaint by Ms. Gessford. Commissioner Price recalled that Mr. Malkus had asked Ms. Stahl if Ms. Gessford had complained to the Commissioners. Commissioner Price said his opinion on that is if someone comes in and questions something that happens, the Commissioners need to know about it. Commissioner Kimble said he had a different view of that.

Commissioner Faust asked that Mr. Malkus provide the list of lead paint professionals to Ms. Stahl to hand out. Mr. Teel said that Mr. Malkus also had forms Ms. Stahl could hand out. Commissioner Faust said Ms. Stahl did not need to schedule inspections for Mr. Malkus; that is his responsibility. He said that the Commissioners want the inspections to occur with the owners. Commissioner Kimble said that on Tuesdays, when Mr. Malkus is in, Ms. Stahl can provide him with the list of those who have called in to schedule their appointments. Then Mr. Malkus can contact those who want special appointments, like one person whose house Mr. Malkus agreed to inspect at 5:30 a.m. Ms. Stahl said it was not that simple; that she spent a lot of time making these calls. So much time that it delayed her completing meeting minutes on time; extending the time to complete one set by nearly a full day. Ms. Stahl explained that people were not usually prepared to set an appointment when she called, they had questions that only Mr. Malkus could answer and/or they needed to make arrangements at their job. They had to call her back and, when they did not, she had to call them. She recounted one appointment that Mr. Malkus had set and she did not know at the time she was arranging someone for that time slot, but the person ended up choosing a different time slot. Commissioner Ford asked if a list could be made of the rental properties in the town and Mr. Malkus could use it to set his schedule. Commissioner Price said that was a good idea because it cuts out the middle-man. Ms. Stahl said she had already provided that list to him. Mr. Malkus said arranging appointments was difficult from a mobile phone, when he is on the road all the time. Commissioner Ford said he sets appointments and does a considerable amount of business on a mobile phone. He said he understood it was difficult. Mr. Teel said Mr. Malkus could send letters to the owners saying "this is your scheduled inspection appointment and if you need to reschedule it, contact me."

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Returning to complaints, Commissioner Kimble said that unless the town's complaint form is filled out, the Commissioners should not want to hear about it. Commissioner Price said he did want to hear about it, regardless. Commissioner Kimble said that only legitimate complaints, those written on a complaint form, should come before the Commissioners. Commissioner Faust said he wants to hear about all complaints, whether they fill out a complaint form or not. Commissioner Engrem said that she believed it should be on a form. Commissioner Ford made a motion that complaint forms with a small sign be put on the counter for citizens to fill out. Commissioner Engrem seconded the motion. The motion was unanimously adopted.

The Commissioners went to the next item on the agenda, the hi-speed connection requested by the library. Ms. Stahl said that the town did not pay the bills for their dial-up connection, so she was not certain this should be before the Commissioners. Commissioner Kimble said the library had a budget that they took care of as they see fit. Ms. Stahl said Ms. Lucille Kuntz had asked Ms. Stahl to bring it before the Commissioners and she would present it to the library's board, because she was not certain who took care of that. Ms. Stahl said she had told Ms. Kuntz that she never paid the library's internet fee, just their phone bill and salaries. Mr. Teel said they could probably get free internet through Queen Anne's County (QAC). Ms. Stahl pointed out that they would have to buy the equipment the town was told to purchase in order to connect to the SAILOR system; equipment that was quite expensive. Ms. Stahl said she did not think the library could afford to purchase that either. Commissioner Faust said that the hi-speed, then, was the library board's decision.

Next, the Commissioners discussed the grass mowing contract. Commissioner Price said this is up for renewal soon and he wanted to know what the Commissioners wanted to do with it. Commissioner Faust said he recalled the Commissioners discussed making this a 2-year contract. Commissioner Price said nothing had been settled. He said that we should not be issuing checks to two different persons, as we did for this contract. Commissioner Price said that when there is a partnership, it is up to the partners to divide the income up, not the town. Commissioner Price said he felt this should go out for a 2-year bid. Commissioners Faust and Kimble agreed. Commissioner Kimble said the changes occurring to the system over the next 2 years could change the Town's mowing requirements. Commissioner Price made a motion for the grass mowing contract to be sent out for 2-year bids. Commissioner Engrem seconded the motion. The motion was unanimously adopted. There was some discussion on whether or not to ask for one bid for both mowing areas, town areas and lagoon, or ask for separate bids for each. The Commissioners opted to leave it up to the contractor to decide how they wanted to bid the job, as one or separately.

Ms. Dawn Mooney appeared before the Commissioners to present her written bid for the purchase of Collier House. After reviewing the document, Commissioner Faust said that the offer of \$25,000 is not acceptable because the price is set at \$30,000 minimum. Commissioner Kimble said the Commissioners should consider the offer, but not come to a final decision at this meeting. Commissioner Ford

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recommended tabling it until the next meeting. Commissioner Faust said the Commissioners will schedule an Executive Session to discuss the offer.

The absences of Mr. W. Thomsen Brown and Mr. Daniel Garrett from the last Planning Commission (PC) meeting were discussed. Ms. Stahl informed the Commissioners that both had exceeded the maximum of 3 absences, per Resolution No. 2006-05, when they missed that meeting; therefore, they were no longer members of the PC. Commissioner Kimble asked what the resolution said. Ms. Stahl said she would get the document. Commissioner Price said the PC should remain a 5-person board. Ms. Stahl returned and read aloud point number 2 of the resolution. Commissioner Kimble said he thought they were entitled to a hearing. Mr. Teel confirmed that the zoning ordinance said they are entitled to a hearing. Mr. Teel suggested they be contacted and offered a hearing, if they wish one. Ms. Stahl said she thought Charter Resolutions amended the Charter. Commissioner Price said he understood the document to supersede anything written before it. Commissioner Kimble said it was a good practice to offer a hearing. Mr. Teel pointed out that was not part of the Charter; it was a resolution of the Zoning Ordinance. Ms. Stahl that was correct, but the PC was not discussed in the Charter; they are discussed in the Zoning Ordinance. Mr. Teel said that considering their long time of service, they should be extended the courtesy of a hearing. Commissioner Faust asked Ms. Stahl or Mr. Teel to send a letter to Mr. Brown and Mr. Garrett asking them if they wanted a hearing or to just be removed. Commissioner Faust asked that they be given until the next monthly meeting to respond so the Commissioners could make a decision at that time. Ms. Stahl clarified that the Commissioners wanted them to appear at the next monthly meeting for their hearing, if they wished one. Commissioner Faust said yes.

The next agenda item was the waste water treatment plant (WWTP) expenses. Ms. Stahl said she knew Commissioner Kimble had not completed his work on this yet, but she wanted to ensure they all had the memo Commissioner Kimble was working with. That memo provided Commissioner Kimble with all the costs associated with the WWTP. Commissioner Kimble said he was attempting to provide a comparison of costs from last year with this year so that the Commissioners could decide what the quarterly sewer fees should be set at. Commissioner Price said we are not over budget and we would not be so at the end of the year. He asked Commissioner Kimble if he was looking at raising the sewer fees. Commissioner Kimble said he was. Commissioner Price said if we were to remain with the current system, he would agree an increase would be needed. Commissioner Kimble said the new system would cost more to operate than this one. Commissioner Price said that is in contradiction to everything the Commissioners have been told. Commissioner Faust said that was correct; it would be more expensive to install, but less costly to operate. Commissioner Kimble said that was true, but the electric rate would be higher. Commissioner Ford said he understood from Mr. Chris Frawley of Rettew, the town's engineering firm, that the new system would be much more efficient and use less power. Commissioner Faust confirmed this.

Discussion next turned to the change to the Commissioners monthly meeting schedule. Ms. Stahl informed the Commissioners that July 4th is the 1st Wednesday of

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July, so she needed to know if the Commissioners wanted to hold their meeting that month on July 3rd or July 5th. Commissioner Faust said they had time to decide. Ms. Stahl said she needs to get that on the website, but they had time to talk about it. Commissioner Faust told Ms. Stahl to move the meeting to July 5th. In regard to the September meeting, Ms. Stahl said she would just have the PC switch meeting dates with the Commissioners.

Next, the Commissioners discussed Mr. Teel's agreement with them. Ms. Stahl said she provided a copy to them of Mr. MacLeod's edits to the agreement; that his edits were to the wording, not affecting the content. Mr. Teel asked to see a copy. Ms. Stahl provided him one. Ms. Stahl said that she had received no edits from any of the Commissioners. Commissioner Kimble said he had some edits. Commissioner Kimble said this agreement is between Mr. Teel and the Commissioners; the town clerk has nothing to do with this agreement. Commissioner Faust said the request for documents and communications to be provided to Ms. Stahl was to ensure the Commissioners received a copy. Commissioner Kimble said Mr. Teel could provide those to the Commissioners himself. Commissioner Kimble said the town clerk's duties are specified in the Charter; Mr. Teel's are specified in the contract with Maryland Rural Development Corporation (MRDC). Ms. Stahl said that according to state law, the Commissioners or the town clerk is responsible for the town's records. Commissioner Kimble said Mr. Teel could give Ms. Stahl his records. Ms. Stahl said that is what that agreement says. This is because the town clerk is responsible for the Town's records and has to provide the State an inventory of the Town's records; Mr. Teel's documents are part of the Town's records. Commissioner Kimble said this agreement is to be between the Commissioners and Mr. Teel, not with the town clerk. Ms. Stahl said that is correct. Commissioner Kimble said Mr. Teel's agreement already specifies these actions must be done and provided to the town clerk. Commissioner Kimble said this agreement was over and above that one. Ms. Stahl said there is a Memorandum of Understanding (MOU) between the Town and MRDC and there was nothing in place regarding the Town's records in that MOU. Commissioner Kimble asked what MOU. Ms. Stahl answered that the only agreement between the Town and MRDC was the MOU; that it was renewed every year.

Commissioner Kimble said he did not like the town clerk being in this contract; that this all started with something Mr. Teel was correct on. Commissioner Kimble said that situation was blown out of proportion. Commissioner Faust said Ms. Stahl has to maintain the Town's records for everything. Commissioner Kimble said Ms. Stahl receives the documents and e-mail communications anyway. Commissioner Faust said this agreement ensures that Ms. Stahl receives those. Commissioner Faust explained that this agreement came about because Mr. Teel was doing things the Commissioners were not aware of. He said this was already voted on, that an agreement will be in place with Mr. Teel, and this will be done. Commissioner Kimble asked who wrote the agreement. Ms. Stahl said she wrote it, based on the requirements the Commissioners asked for. Commissioner Kimble said Ms. Stahl was asked to draft it with Mr. Teel. Ms. Stahl said that was not correct. Commissioner Price said the word "clerk" in the agreement could easily be changed to "office" because all that is saying is that Ms.

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Stahl needs to be provided a copy of whatever Mr. Teel is doing to ensure the Commissioners receive a copy. Commissioner Kimble said Mr. Teel could provide the Commissioners with the copies; Ms. Stahl does not have to do it.

Commissioner Price asked what other concerns Commissioner Kimble had with the agreement. Commissioner Kimble said wherever it is related to the town clerk; all that should be taken out. Commissioner Kimble said this agreement came about over a disagreement with 4 of the Commissioners; not with the town clerk. He said what Mr. Teel did was done properly. Commissioner Price said it was not a misunderstanding and it was not done properly. Commissioner Price said the letter was written on Sudlersville letterhead. It was submitted without the prior approval of the Town Commissioners and, therefore, that means it was not properly done. Commissioner Kimble asked what Commissioner Price thought we had a town manager for. Commissioner Price said Mr. Teel was to guide the Commissioners, not make decisions for them. Commissioner Kimble said that in a true town manager situation, Mr. Teel is Mr. Stahl's boss and the Town Commissioners are his boss. Commissioner Price said that might be true in a Mayoral situation, but not for a Commission situation. Commissioner Ford said this agreement is just stating what the Commissioners want and how the Commissioners want it done. Commissioner Kimble said that the town clerk did not need to be in it. Commissioner Faust said that if Commissioner Kimble believes that, then he is saying that Ms. Stahl does not need to know about Mr. Teel's appointments, meetings or vacation time. Commissioner Kimble said she would be provided a copy of the notice from Mr. Teel. Commissioner Faust said that if the town clerk is removed from the agreement, the part that requires Mr. Teel provide Ms. Stahl with all of his appointments and more means Ms. Stahl will not need to be notified by Ms. Stahl. So, when someone calls asking where he is, Ms. Stahl does not need to know what he is doing or where he is at. Commissioner Kimble said Mr. Teel will provide his schedule to the Commissioners. Commissioner Kimble said he did not believe Ms. Stahl should have written this agreement. Ms. Stahl said she did so at the request of the Commissioners. Commissioner Faust confirmed that. Commissioner Kimble said Mr. MacLeod should have written it. Ms. Stahl said she had provided the agreement to Mr. MacLeod for his edits and they had a copy of those in front of them. She showed them that Mr. MacLeod's edits were minor, a few corrections to the wording.

Commissioner Kimble asked Mr. Teel his feelings on the agreement. Having just briefly seen it for the first time, Mr. Teel said he believed a couple of the provisions are not what he and the Commissioners agreed to that night; specifically bullets 2 and 4. Number 2 refers to Mr. Teel providing a complete copy of all Sudlersville related correspondence, regardless of form or purpose, to the Town Clerk. Number 4 refers Mr. Teel providing a copy of all Sudlersville related e-mail, regardless of form or purpose, to the Town Clerk. Commissioner Price pointed out he was already doing that. Mr. Teel said he was not doing that. He said he has correspondence with Ms. Susan Elter, President of the Planning Commission, about matters; he does not furnish those to the Commissioners. He said sometimes those e-mails with Ms. Elter are directly related, sometimes not, to the Town. Sometimes it is just the two discussing how to

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make the PC better, and he did not feel those needed to be shared with the Town. Mr. Teel said he did not believe there was any Town business he did the Commissioners were not already aware of. Mr. Teel said there was business with the Commissioners or with the Planning Commission that was of a relatively confidential nature and he does not send that here. Mr. Teel said he would be happy to suggest alternative language after he had time to review the agreement. Commissioner Price said he believed the Commissioners, by law, were in their rights to request those. He said, apparently we are or Mr. MacLeod would have deleted that from the agreement. Commissioner Price said he did not know there were any matters related to the Town's business so confidential that all the members of the Town Commissioners should not know of them. Mr. Teel said he believed the question is where you draw the line of Town business. Commissioner Price responded that if the Town is involved, then it is Town business. He said it was no different than an Open Meetings Act. Mr. Teel said it was more like an Executive Session. He said he would think about it and suggest alternative wording. Commissioner Faust said this can be tabled until the next monthly meeting. Commissioner Kimble said he would be away during the next monthly meeting and asked that they table it for a meeting he would be present at. The Commissioners decided to table this matter until the April 18th workshop. Mr. Teel said he would provide them with his comments and there may not be any problems at all or there may be big problems.

Commissioner Ford said Mr. Teel, at the Planning Commission meeting on March 5th, discussed the fact that Mr. Friel property would be the site of the new school. Commissioner Ford suggested that the Commissioners quickly begin working on something to replace that development. Commissioner Faust said QAC had to live up to the annexation agreement between the Town and Mr. Friel. Commissioner Faust said the Commissioners did not have to do anything; that was their responsibility. Commissioner Kimble said the zoning for that property is Single Family and the zoning, for a school to be built there, would need to be changed. Mr. Teel explained that a school is conditional use, which means QAC has to meet certain conditions spelled out in the Zoning Ordinance; no change of zoning is required. Mr. Teel said Mr. Frawley provided him some information which says that, assuming QAC intends the school for around 1,000 students, 10 students equals 1 house in terms of sewer and water capacity; therefore, QAC will need a lot of capacity. Mr. Teel said that means the Town will need to tell QAC they need to pay costs here too. Commissioner Faust said that the amount of money Mr. Friel was to provide the town was based on number of homes he intended to build there; therefore, that same amount is what QAC should provide the Town if they purchase the property. Mr. Teel said that will be an interesting "go-round" if the Town asks them to pay that much. Mr. Teel said he would check with Mr. MacLeod to learn if QAC would be liable to pay for those sewer and water connections if they purchase Mr. Friel's property.

Commissioner Ford said his suggestion is, in consideration of what is best for the Town, the Commissioners seek an annexation with people who will work with and accommodate the Town. Commissioner Faust said that could not occur until the Commissioners know what is happening. Commissioner Ford said the Commissioners

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could ask BDC to annex their property into the town. Commissioner Faust recommended the Commissioners wait to see what happens with QAC first because this deal between Mr. Friel and QAC is only speculation at this time.

Commissioner Faust if there was any public comment. Ms. Faye Williams asked if the orange arrows on the sidewalks were related to the repairs previously discussed. The Commissioners said she was correct. Ms. Williams then asked if the non-annexed land of Mr. Friel's was a part of the sale to QAC. Commissioner Faust said they did not know. He said he was told earlier this date that it was both the non-annexed and annexed lands being discussed.

Commissioner Kimble asked Mr. Teel what the status of the park's annexation was. Mr. Teel said that Mr. MacLeod and Mr. Patrick Thompson, an attorney with QAC, will be preparing the draft documents together. Mr. Teel said there are about 3 documents they need to draft for the Town. Commissioner Kimble asked Mr. Teel if the Town could add a rider to the agreement that the 30 acres will remain a park. Mr. Teel responded that could not be done. Commissioner Faust said he thought the Commissioners had already specified that when they discussed with the annexation with QAC Parks & Recreation. Mr. Teel said it could be put in the agreement that is what the Town wants, but a rider is a loose term. Mr. Teel said that is one of the items on the list, so Mr. MacLeod is aware of the Commissioners' wish to have that in the agreement. Commissioner Price said it could actually be controlled through the Zoning Ordinance. Commissioner Kimble said that could be done once it is annexed. Commissioner Price it could be added to the Zoning Ordinance in such a way that future Town regimes cannot change it from a park.

A motion to adjourn the monthly meeting was made by Commissioner Kimble; seconded by Commissioner Ford. The monthly meeting was adjourned.

Respectfully submitted,

Laura Stahl
Town Clerk